

IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:)	
)	
BROAN-NUTONE LLC,)	
)	CASE NO. BK09-13611 (D. Del.)
Debtor(s).)	
NUTONE, INC., an Ohio corporation,)	A09-8070-TJM
)	
Plaintiff,)	8:07CV305
)	
vs.)	CH. 11
)	
JAKEL, INC.,)	
)	
Defendant and)	
Third-Party Plaintiff,)	
)	
vs.)	
)	
ANZEN DENGU CO., LTD., and)	
API TECHNOLOGY, INC.,)	
)	
Third-Party Defendants.)	

REPORT & RECOMMENDATION

This matter is before the court on the joint supplemental status report filed by the parties (Fil. # 7). The parties report that the debtor has consummated its plan of reorganization, the bankruptcy estate has been fully administered, and the underlying bankruptcy case has been closed. Accordingly, the bankruptcy proceeding will not affect this litigation and the case may go forward.

I respectfully recommend to the United States District Court for the District of Nebraska that it withdraw the reference of this adversary proceeding to proceed with the litigation.

The Clerk of the Bankruptcy Court shall process this recommendation pursuant to the local court rules.

DATED: February 11, 2010

RESPECTFULLY SUBMITTED,

/s/ Timothy J. Mahoney
 United States Bankruptcy Judge

Notice given by the Court to:

Richard P. Jeffries	Tara A. Stingley	Brian D. Nolan
Susan L. Stryker	Thomas J. Culhane	U.S. Trustee